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Illinois Register

Rules of Governmental Agencies

Volume 23, Issue 24 — June 11, 1999

Pages 6,929 – 6,989

Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017
<http://www.sos.state.il.us>

published by
Jesse White
Secretary of State



Printed on recycled paper

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Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April	16, 1999 - Issue 16: Through	March	31, 1999
July	16, 1999 - Issue 29: Through	June	30, 1999
October	15, 1999 - Issue 42: Through	September	30, 1999
January	14, 2000 - Issue 3: Through	December	31, 1999 (Annual)

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED RULES

1) Heading of the Part: Public List of Delinquent Taxpayers

2) Code Citation: 86 Ill. Adm. Code 710

3) Section Numbers: Proposed Action:

- 710.10 New Section
- 710.20 New Section
- 710.30 New Section
- 710.40 New Section
- 710.50 New Section
- 710.60 New Section

4) Statutory Authority: Implementing and authorized by Section 39b54 of the Civil Administrative Code of Illinois (Part 2.5) [20 ILCS 2505/39b54].

5) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes the procedure for implementing a delinquent taxpayer publication program, a tax collection tool authorized by Section 39b54 of the Civil Administrative Code of Illinois (Part 2.5) [20 ILCS 2505/39b54]. This program involves the disclosure of tax information of certain taxpayers that are delinquent in the payment of liabilities to the Department of Revenue. The program is intended to resolve delinquent accounts and encourage voluntary compliance with the Illinois tax statutes.

6) Will this proposed rule replace an emergency rule currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not create a State Mandate, nor does it modify any existing State Mandates.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Keith Staats
General Counsel
Illinois Department of Revenue
101 West Jefferson
Springfield, Illinois 62794
Phone: 217/782-7296

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED RULES

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipality, or not-for-profit corporation that has an unpaid Illinois tax liability that qualifies for disclosure would be subject to this tax collection device.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: It was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED RULES

TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 710

PUBLIC LIST OF DELINQUENT TAXPAYERS

Section

710.10 Definitions

710.20 Development of the Notice List of Delinquent Taxpayers

710.30 Notification of Delinquent Taxpayers

710.40 Grace Period

710.50 Publication of the Annual List of Delinquent Taxpayers

710.60 Removal of Taxpayers from the Annual List

AUTHORITY: Implementing and authorized by Section 39b54 of the Civil Administrative Code of Illinois (Part 2.5) (20 ILCS 2505/39b54).

SOURCE: Emergency rules adopted at 23 Ill. Reg. 3521, effective March 4, 1999, for a maximum of 150 days; adopted at 23 Ill. Reg. _____, effective _____.

Section 710.10 Definitions

"Act" means Public Act 90-753, 20 ILCS 2505/39b54, "AN ACT to amend the Civil Administrative Code by adding Section 39b54."

"Annual List" means the list of delinquent taxpayers as disclosed by the Department in a single calendar year. The Annual List consists of all the taxpayers on the Notice list, less those taxpayers removed during the 60-day grace period described in Section 710.40 of this Part.

"Delinquent" refers to any final tax liability that has come due and remains unpaid. For purposes of Section 710.20 of this Part, the taxpayer shall not be deemed a delinquent taxpayer subject to disclosure if any of the following circumstances apply:

there is a written agreement for payment between the taxpayer and the Department, and the taxpayer is current in all payments.

the taxpayer is contesting the liability by way of an administrative hearing, administrative review, or judicial review. This exception includes taxpayers that currently have a petition pending before the Department's Board of Appeals.

the Department is currently in the process of reviewing the liability.

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the Department is currently in the process of adjusting the liability.

the taxpayer is a debtor in a bankruptcy proceeding and the Bankruptcy Court has in place a stay of collection activity on the liability.

the taxpayer is deceased.

"Delinquent Taxpayer" means any taxpayer, whether an individual, trust, partnership, corporation, or any other taxable entity, that is delinquent in the payment of a final tax liability of a tax collected by the Department, as set forth in Section 710.20, and thereby subject to disclosure under the Act.

"Department" means the Department of Revenue of the State of Illinois.

"Disclosable Information" means the name and address of the delinquent taxpayer, the type or types of delinquent tax and the date on which each tax was assessed or became final, the amount of each delinquent tax liability, and, in the case of a corporate taxpayer, the name of the current president or record of the corporation.

"Disclose" means to publish or release a taxpayer's disclosable information not previously disclosed under the Act within the same calendar year.

"Disclosure" means the publication or release of a taxpayer's disclosable information not previously disclosed under the Act within the same calendar year.

"Final Tax Liability" means a liability that has been assessed, is deemed assessed, or is otherwise final for the purpose of enforced collection activity.

"Notice List" means the preliminary list of taxpayers deemed delinquent and subject to disclosure under the requirements set forth in Section 710.20 of this Part.

Section 710.20 Development of the Notice List of Delinquent Taxpayers

a) Prior to the disclosure of a delinquent taxpayer under the Act, the Department will deem the taxpayer delinquent and subject to disclosure under the Act, based upon the following criteria:

- 1) The taxpayer is delinquent in the payment of a final tax liability collected by the Department; and
- 2) The taxpayer's final tax liability for all taxes collected by the Department (including penalties and interest) is greater than

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\$10,000; and

- 3) At least 6 months have passed from the time that the final tax liability was assessed or became final, as provided in the statute imposing the tax.

Taxpayers meeting each of these criteria shall be deemed "delinquent taxpayers" subject to disclosure.

- b) The Department will create and maintain the Notice List consisting of all taxpayers meeting these criteria.

Section 710.30 Notification of Delinquent Taxpayers

At least 90 days prior to disclosure of a delinquent taxpayer appearing on the Notice List, the Department will mail a written notice to the delinquent taxpayer.

- a) The notice will be sent by certified mail to the taxpayer's last known address, based on the most current information available in the records maintained by the Department.
- b) If any notice is returned to the Department as undeliverable, or the Department determines that a letter is unclaimed by reason of being incorrectly addressed, the Department will use reasonable diligence to determine the current address.
- c) The notice will detail the amount and nature of the delinquency and the intended disclosure of the delinquency.
- d) The notice will inform the taxpayer of the methods to avoid disclosure set forth in Section 710.40 of this Part.

Section 710.40 Grace Period

- a) On the date that either a notice described in Section 710.30 of this Part was delivered or the Department has been notified that delivery of the notice was refused or unclaimed, the taxpayer's inclusion on the Notice List shall be fixed, subject only to the limited process for removal set forth in subsection (b) of this Section.
- b) In the 60 days following the date set forth in subsection (a) of this Section, the delinquent taxpayer shall have the opportunity to take action that will result in removal from the Notice List. During this period, a taxpayer will be removed from the Notice List only if the taxpayer:
 - 1) pays the delinquent tax; or
 - 2) enters into a written agreement with the Department for payment of the delinquent tax; or
 - 3) cures a default in an existing payment agreement; or
 - 4) files a petition with, and obtains a temporary restraining order from, the Department's Board of Appeals.

Section 710.50 Publication of the Annual List of Delinquent Taxpayers

- a) No sooner than 90 days after the date the Department mailed written

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notice to the delinquent taxpayer as provided in Section 710.30 of this Part, the Department will add to the Annual List the taxpayer's disclosable information, unless the taxpayer was removed from the Notice List during the 60-day grace period.

- b) No such disclosure of a taxpayer's disclosable information will be made in the same calendar year as a prior disclosure.

Section 710.60 Removal of Taxpayers from the Annual List

- a) The Department may periodically update the Annual List by removing taxpayers.
- b) If, prior to an update, a taxpayer appearing on the Annual List has resolved the delinquency by full payment of the tax liability, the Department will remove the taxpayer from the list available for inspection at the Department and any list subsequently published by the Department by any means.
- c) Upon each update, the list shall bear the statement "This updated list reflects the removal of taxpayers that have resolved their delinquency through (date of update)."

DEPARTMENT OF HUMAN SERVICES

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER B: ASSISTANCE PROGRAMS

PART 113

AID TO THE AGED, BLIND OR DISABLED

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September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective

September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6,

1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at

3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48,

p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p.

259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 259, effective

February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended

at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4

Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days;

amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4

Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45,

p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective

January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981;

peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5

Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective

June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at

5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg.

8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062,

effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective

October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October

1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981;

peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended

at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733,

effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1,

1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory

amendment at 5 Ill. Reg. 11647, effective January 1, 1982; amended at 6 Ill. Reg.

1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447,

effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6

Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg.

Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912,

effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June

2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective June

1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill.

Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective

August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982;

amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg.

12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective

November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg.

907, effective January 10, 1983; amended (by adding Sections being codified

with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367,

effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21,

1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8

Ill. Reg. 5255, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective

April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended

at 8 Ill. Reg. 13279, effective July 16, 1984; amended (by Sections being

codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill.

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Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 3, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 13496, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency

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amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. 14612, effective August 26, 1993; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6639, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15034, effective October 17, 1995; amended at 20 Ill. Reg. 858, effective December 29, 1995; emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 13642, effective July 15, 1998; emergency amendment at 22 Ill. Reg. 16348, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 18931, effective October 1, 1998; emergency amendment at 22 Ill. Reg. 21750, effective November 24, 1998, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 579, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1607, effective January 20, 1999; amended at 23 Ill. Reg. 5548, effective April 23, 1999; amended at 23 Ill. Reg. 6052, effective May 4, 1999; amended at 23 Ill. Reg. 6425, effective May 15, 1999; amended at 23 Ill. Reg. 6935, effective **MAY 30 1999**.

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 113.10 Citizenship

To be eligible for assistance, an individual shall be either a U.S. citizen or a non-citizen within specific categories and subject to specific restrictions as set forth below:

- a) Citizenship status -- Persons born in the U.S., or in its possessions, are U.S. citizens. Citizenship can also be acquired by naturalization through court proceedings, or by certain persons born in a foreign country of U.S. citizen parent(s).
- b) Non-citizens
 - 1) The following categories of non-citizens may receive assistance, if otherwise eligible:
 - A) A United States veteran honorably discharged and a person on active military duty, and the spouse and unmarried dependent children of such a person;
 - B) Refugees under Section 207 of the Immigration and

DEPARTMENT OF HUMAN SERVICES

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- Nationality Act (INA);
- C) Asylees under Section 208 of the INA;
- D) Persons for whom deportation has been withheld under Section 243(h) of the INA;
- E) Persons granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980;
- F) Persons lawfully admitted for permanent residence under the INA; and
- G) Parolees, for at least one year, under Section 212(d)(5) of the INA; and:
- H) Persons who are a spouse, widow or child of a U.S. citizen or a spouse or child of a legal permanent resident (LPR) who have been battered or subjected to extreme cruelty by the U.S. citizen or LPR or a member of that relative's family who lived with them, who no longer live with the abuser or plans to live separately within one month after receipt of assistance and whose need for assistance is due, at least in part, to the abuse.
- 2) Those persons who are in the categories set forth in (b)(1)(F) and (b)(1)(G) of this Section, who enter the United States on or after August 22, 1996, shall not be eligible for five years beginning on the date the person entered the United States.

(Source: Amended at 23 Ill. Reg. 6935, effective MAY 30 1996)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: General Administrative Provisions
- 2) Code Citation: 89 Ill. Adm. Code 10
- 3) Section Numbers: 10.430
Adopted Action: Amendment
- 4) Statutory Authority: Implementing Articles I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. I through IX and 12-13].
- 5) Effective Date of Amendments: June 1, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 16, 1999 (23 Ill. Reg. 2479)
- 10) Has JCAR Issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version:
- The following change was made in the text of the proposed amendments:
1. In Section 10.430(a), "a client" was changed to "an AABD or Interim Assistance client".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part: No
- 15) Summary and Purpose of Amendments:

These amendments would allow a client who receives sheltered care services to be eligible for a State Supplemental Payment (AABD cash assistance) effective the date of application with our Department. A sheltered care client's AABD cash benefits (except for \$40) goes to the facility for sheltered care services.

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Current rules allow cash assistance to begin no earlier than the 30th day after the date of application. As a result of this rulemaking, sheltered care clients will be able to pay for sheltered care services with cash assistance beginning with the date of application or date of entry into the facility, whichever is later.

- 16) Information and answers to questions regarding these adopted amendments shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 10

GENERAL ADMINISTRATIVE PROVISIONS

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Applicability
Definitions
Assistance Programs
Assistance Program Restrictions

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Rights of Clients
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Right to Appeal
Continuation of Assistance Pending Appeal
Time Limit for Filing an Appeal
Child Care
Voluntary Repayment of Assistance
Correction of Underpayments
Recovery of Assistance
Estate Claims
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Filing and Renewal of Liens
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Release of Liens
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Local Office Action on Application for Public Assistance
Time Limitations on the Disposition of an Application
Approval of an Application and Initial Authorization of Financial Assistance
General Assistance Approval Provisions
Denial of an Application

AUTHORITY: Implementing Articles I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IX and 12-13].

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

SOURCE: Emergency rules adopted at 21 Ill. Reg. 9515, effective July 1, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 13515, effective November 26, 1997; amended at 22 Ill. Reg. 19816, effective November 1, 1998; amended at 23 Ill. Reg. 6944 = effective JUN 1 1999.

SUBPART C: APPLICATION PROCESS

Section 10.430 Approval of an Application and Initial Authorization of Financial Assistance

- a) Financial assistance (for Aid to the Aged, Blind or Disabled, Interim Assistance and Temporary Assistance for Needy Families) shall be authorized effective 30 days after the date of application provided the case is eligible on that date.
Exception: Financial assistance for an AABD or Interim Assistance client residing in a sheltered care facility shall be authorized effective the date of application, or the date of entry into the sheltered care facility, whichever is later.
- b) Financial assistance for General Assistance shall be authorized effective:

- 1) Thirty days following the date of application.
- 2) If General Assistance (GA) is approved as a result of termination of Temporary Assistance for Needy Families (TANF) or Aid to the Aged, Blind or Disabled (AABD) assistance or deletion (TANF only) for certain non-financial reasons (see Section 10.270(f)), assistance shall be authorized with no gap if an application is filed within 30 days after the notice of termination of TANF or AABD or deletion (TANF only) (see also Section 10.270).
- c) If the applicant is determined eligible for financial assistance, the notice (see Section 10.420) shall state the amount of financial assistance to be provided, and a statement of the reasons for any partial grant amounts. Partial grant amount is defined as the maximum grant that a family unit for whom application for public assistance was filed is eligible to receive, less any reductions resulting from the consideration.

(Source: Amended at 23 Ill. Reg. 6944 = effective JUN 1 1999)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: General Assistance
- 2) Code Citation: 89 Ill. Adm. Code 114
- 3) Section Numbers: Adopted Action: 114.10 Amendment
- 4) Statutory Authority: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].
- 5) Effective Date of Rulemaking: May 30, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 8, 1999 (23 Ill. Reg. 382)
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: The following change was made in the text of the proposed amendments:
1. Section 114.10(b)(1)(H) was revised as follows:
"Persons who are a spouse, widow or child of a U.S. citizen or a spouse or child of a legal permanent resident (LPR) who have been battered or subjected to extreme cruelty by the U.S. citizen or LPR or a member of that relative's family who lived with them, who no longer live with the abuser or plans to live separately within one month after receipt of assistance and whose need for assistance is due, at least in part, to the abuse."
No other substantive changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? Yes
- 14) Are there any amendments pending on this Part? No

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rulemaking: As a result of these amendments, certain non-citizens will meet the immigration status requirement for assistance if they meet the following criteria:

- The person was admitted to the U.S. as a spouse, widow, or child of a U.S. citizen or as a spouse or child of a non-citizen who is a lawful permanent resident (LPR).
- The person has been battered or subjected to extreme cruelty by the U.S. citizen or LPR or by a member of that relative's family who lived with them.
- The person needs assistance, at least in part, due to the abuse.
- The person no longer lives with the abuser.

These amendments also establish that persons who meet these criteria are qualified non-citizens. They do not have to wait 5 years after entering the U.S. to qualify for assistance. The children of an abused parent or the parent(s) of an abused child may also qualify with the abused person, if they did not participate in the abuse.

Companion amendments are also being adopted in 89 Ill. Adm. Code 112 and 113.

16) Information and questions regarding this adopted amendment shall be directed to:

Mrs. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
(217)785-9772

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER B: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

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114.1	Description of the Assistance Program
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114.3	Advocacy Program for Persons Receiving State Transitional Assistance
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SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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114.9	Client Cooperation
114.10	Citizenship
114.20	Residence
114.30	Age
114.40	Relationship
114.50	Living Arrangement
114.52	Social Security Numbers
114.60	Work Registration Requirements (Outside City of Chicago only)
114.61	Individuals Exempt From Work Registration Requirements (Outside City of Chicago only)
114.62	Job Service Registration (Outside City of Chicago only)
114.63	Failure to Maintain Current Job Service Registration (Outside City of Chicago only)
114.64	Responsibility to Seek Employment (Outside City of Chicago only)
114.70	Initial Employment Expenses (Outside City of Chicago only)
114.80	Domstate General Assistance Work and Training Programs
114.85	Domstate General Assistance - Food Stamps Employment and Training Pilot Project
114.90	Project Chance Participation/Cooperation Requirements (Renumbered)
114.100	General Assistance Jobs Program (Repealed)
114.101	Persons Ineligible for TANF Due to Time Limits

SUBPART C: PROJECT ADVANCE

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114.108	Project Advance (Repealed)
114.109	Project Advance Participation Requirements of Adjudicated Fathers (Repealed)
114.110	Project Advance Cooperation Requirements of Adjudicated Fathers (Repealed)

DEPARTMENT OF HUMAN SERVICES
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114.111	Project Advance Sanctions (Repealed)
114.113	Project Advance Good Cause for Failure to Comply (Repealed)
114.115	Individuals Exempt From Project Advance (Repealed)
114.117	Project Advance Supportive Services (Repealed)
SUBPART D: EMPLOYMENT AND TRAINING REQUIREMENTS	
Section	Employment and Training Requirements
114.120	persons Required to Participate in Project Chance (Repealed)
114.121	Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act (Repealed)
114.122	Persons in Need of Work Rehabilitative Services (WRS) to Become Employable (Repealed)
114.123	Employment and Training Participation/Cooperation Requirements (Repealed)
114.124	Employment and Training Program Orientation (Repealed)
114.125	Employment and Training Program Full Assessment Process/Development of an Employment Plan (Repealed)
114.126	Employment and Training Program Components (Repealed)
114.127	Good Cause For Failure to Cooperate With Work and Training Participation Requirements (Repealed)
114.128	Employment and Training Supportive Services (Repealed)
114.129	Conciliation and Fair Hearings (Repealed)
114.130	Employment Child Care (Repealed)
114.135	
114.140	

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section	Unearned Income
114.200	Budgeting Unearned Income
114.201	Application And/Or Date of Decision
114.202	Initial Receipt of Unearned Income
114.203	Termination of Unearned Income
114.210	Exempt Unearned Income
114.211	Education Benefits
114.221	Unearned Income In-Kind
114.222	Marked Income
114.223	Lump-Sum Payments
114.224	Protected Income
114.225	Earned Income
114.226	Budgeting Earned Income
114.227	Application And/Or Date of Decision
114.228	Initial Employment

of Applicants Receiving Income On Date of
Application And/Or Date of Decision

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

114.229	Termination of Employment
114.230	Exempt Earned Income
114.235	Recognized Employment Expenses
114.240	Income From Work/Study/Training Program (Repealed)
114.241	Earned Income From Self-Employment
114.242	Earned Income From Roomer and Boarder
114.243	Earned Income From Rental Property
114.244	Earned Income In-Kind
114.245	Payments from the Illinois Department of Children and Family Services
114.246	Budgeting Earned Income For Contractual Employees
114.247	Budgeting Earned Income For Non-contractual School Employees
114.250	Assets
114.251	Exempt Assets
114.252	Asset Disregards
114.260	Deferral of Consideration of Assets (Repealed)
114.270	Property Transfers (Repealed)
114.280	Supplemental Payments
SUBPART F: PAYMENT AMOUNTS	
Section	Payment Levels
114.350	Payment Levels in Group I Counties
114.351	Payment Levels in Group II Counties
114.352	Payment Levels in Group III Counties
114.353	Payment Levels in Group III Counties

SUBPART G: OTHER PROVISIONS

Section	Persons Who May Be Included In the Assistance Unit
114.400	Eligibility of Strikers
114.401	Special Needs Authorizations (Repealed)
114.402	Institutional Status
114.403	Retrospective Budgeting
114.404	Budgeting Schedule
114.406	Limitation on Amount of General Assistance to Recipients from Other States
114.408	Responsibility of Sponsors of Non-Citizens Entering the Country On or After August 22, 1996
114.420	Redetermination of Eligibility
114.430	Extension of Medical Assistance Due to Increased Income from Employment
114.440	Attorney's Fees for VA Appellants
114.442	Attorney's Fees for SSI Applicants

SUBPART H: CHILD CARE

Section

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 114.450 Child Care (Repealed)
- 114.452 Child Care Eligibility (Repealed)
- 114.454 Qualified Provider (Repealed)
- 114.456 Notification of Available Services (Repealed)
- 114.458 Participant Rights and Responsibilities (Repealed)
- 114.462 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)
- 114.464 Rates of Payment for Child Care (Repealed)
- 114.466 Method of Providing Child Care (Repealed)
- SUBPART I: TRANSITIONAL CHILD CARE
- Section
- 114.500 Transitional Child Care Eligibility (Repealed)
- 114.504 Duration of Eligibility for Transitional Child Care (Repealed)
- 114.506 Loss of Eligibility for Transitional Child Care (Repealed)
- 114.508 Qualified Provider (Repealed)
- 114.510 Notification of Available Services (Repealed)
- 114.512 Participant Rights and Responsibilities (Repealed)
- 114.514 Child Care Overpayments and Recoveries (Repealed)
- 114.516 Fees for Service for Transitional Child Care (Repealed)
- 114.518 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 11, Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at

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NOTICE OF ADOPTED AMENDMENTS

- 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 1013, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11321, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5193; amended at 7 Ill. Reg. 9009, effective August 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 90 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg.

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10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E reclassified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 reclassified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amendment at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1346, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. 3640, effective February 23, 1990; amended at 14 Ill. Reg. 6360, effective April 16, 1990; amended at 14 Ill. Reg. 10929, effective June 20, 1990; amended at 14 Ill. Reg. 13215, effective August 6, 1990; amended at 14 Ill. Reg. 13777, effective August 10, 1990; amended at 14 Ill. Reg. 14162, effective August 17, 1990; amended at 14 Ill. Reg. 17111, effective September 30, 1990; amended at 15 Ill. Reg. 288, effective January 1, 1991; amended at 15 Ill. Reg. 5710, effective April 10, 1991; amended at 15 Ill. Reg. 11164, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 15144, effective October 7, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3512, effective February 20, 1992; emergency amendment at 16 Ill. Reg. 4340, effective March 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13297, effective August 15, 1992; emergency amendment at 16 Ill. Reg. 13651, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14769, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 16276, effective October 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17772, effective

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

November 13, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18815, effective November 24, 1992; amended at 17 Ill. Reg. 1091, effective January 15, 1993; amended at 17 Ill. Reg. 2277, effective February 15, 1993; amended at 17 Ill. Reg. 3255, effective March 1, 1993; amended at 17 Ill. Reg. 3639, effective February 26, 1993; amended at 17 Ill. Reg. 3255, effective March 1, 1993; amended at 17 Ill. Reg. 6814, effective April 21, 1993; emergency amendment at 17 Ill. Reg. 19728, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3436, effective February 28, 1994; amended at 18 Ill. Reg. 7290, effective April 29, 1994; amended at 18 Ill. Reg. 12839, effective August 5, 1994; emergency amendment at 19 Ill. Reg. 8434, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13058, effective October 17, 1995; emergency amendment at 20 Ill. Reg. 4445, effective February 28, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9970, effective July 10, 1996; emergency amendment at 21 Ill. Reg. 682, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7413, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8652, effective July 1, 1997, for a maximum of 150 days; reclassified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15545, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 16356, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19820, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 588, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1619, effective January 20, 1999; amendment at 23 Ill. Reg. 6067, effective May 4, 1999; amended at 23 Ill. Reg. 6438, effective May 15, 1999; amendment at 23 Ill. Reg. ~~6438~~ **MAY 30 1999**.

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 114.10 Citizenship

To be eligible for assistance, an individual shall be either a U.S. citizen or a non-citizen within specific categories and subject to specific restrictions as set forth below:

- a) Citizenship status -- Persons born in the U.S., or in its possessions, are U.S. citizens. Citizenship can also be acquired by naturalization through court proceedings, or by certain persons born in a foreign country of U.S. citizen parent(s).
- b) Non-citizens
 - 1) The following categories of non-citizens may receive assistance, if otherwise eligible:
 - A) A United States veteran honorably discharged and a person on active military duty, and the spouse and unmarried dependent children of such a person;
 - B) Refugees under Section 207 of the Immigration and Nationality Act (INA);
 - C) Asylees under Section 208 of the INA;
 - D) Persons for whom deportation has been withheld under Section

DEPARTMENT OF HUMAN SERVICES

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- 243(h) of the INA;
- E) Persons granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980;
- F) Persons lawfully admitted for permanent residence under the INA; and
- G) Parolees, for at least one year, under Section 212(d)(5) of the INA; and
- H) Persons who are a spouse, widow or child of a U.S. citizen or a spouse or child of a legal permanent resident (LPR) who have been battered or subjected to extreme cruelty by the U.S. citizen or LPR or a member of that relative's family who lived with them, who no longer live with the abuser or plans to live separately within one month after receipt of assistance and whose need for assistance is due, at least in part, to the abuse.
- 2) Those persons who are in the categories set forth in (b)(1)(F) and (b)(1)(G) of this Section, who enter the United States on or after August 22, 1996, shall not be eligible for five years beginning on the date the person entered the United States.

(Source: amended at 23 Ill. Reg. 6948, effective MAY 30 1999)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Temporary Assistance for Needy Families
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Numbers: Adopted Action:
112.10 Amendment
- 4) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
- 5) Effective Date of Amendments: May 30, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 8, 1999 (23 Ill. Reg. 384)
- 10) Has JCAR Issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: The following change was made in the text of the proposed amendments:
1. Section 112.10(b)(1)(H) was revised as follows:
- "Persons who are a spouse, widow or child of a U.S. citizen or a spouse or child of a legal permanent resident (LPR) who have been battered or subjected to extreme cruelty by the U.S. citizen or LPR or a member of that relative's family who lived with them, who no longer live with the abuser or plans to live separately within one month after receipt of assistance and whose need for assistance is due, at least in part, to the abuse."
- No other substantive changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? Yes
- 14) Are there any amendments pending on this Part: Yes

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

Section Numbers Proposed Action Illinois Register Citation

112.2	New Section	23 Ill. Reg. 831
112.131	Amendment	23 Ill. Reg. 4586
112.134	Amendment	23 Ill. Reg. 4586
112.141	Amendment	23 Ill. Reg. 4586
112.155	Amendment	23 Ill. Reg. 4586
112.250	Amendment	23 Ill. Reg. 4586

15) Summary and Purpose of Rule(s): As a result of these amendments, certain non-citizens will meet the immigration status requirement for assistance if they meet the following criteria:

- The person was admitted to the U.S. as a spouse, widow, or child of a U.S. citizen or as a spouse or child or a non-citizen who is a lawful permanent resident (LPR).
- The person has been battered or subjected to extreme cruelty by the U.S. citizen or LPR or by a member of that relative's family who lived with them.
- The person needs assistance, at least in part, due to the abuse.
- The person no longer lives with the abuser.

These amendments also establish that persons who meet these criteria are qualified non-citizens. They do not have to wait 5 years after entering the U.S. to qualify for assistance. The children of an abused parent or the parent(s) of an abused child may also qualify with the abused person, if they did not participate in the abuse.

Companion amendments are also being adopted in 99 Ill. Adm. Code 113 and 114.

16) Information and answers to questions regarding these adopted amendments shall be directed to:

Mrs. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772

The full text of adopted amendments begin on the next page:

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

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112.5	

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.60	Basis of Eligibility
112.61	Death of a Parent (Repealed)
112.62	Incapacity of a Parent (Repealed)
112.63	Continued Absence of a Parent (Repealed)
112.64	Unemployment of the Parent (Repealed)
112.65	Responsibility and Services Plan
112.66	Alcohol and Substance Abuse Treatment
112.67	Restriction in Payment to Households Headed by a Minor Parent
112.68	School Attendance Initiative
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SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section	Employment and Work Activity Requirements
112.70	Individuals Exempt from TANF Employment and Work Activity Requirements
112.71	Participation/Cooperation Requirements
112.72	Adolescent Parent Program (Repealed)
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112.75	TANF Orientation
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DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

TANF Employment and Work Activities
Sanctions
112.78
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112.80 Good Cause for Failure to Comply with TANF Participation Requirements
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112.82 Responsible Relative Eligibility for JOBS (Repealed)
112.83
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112.88 Work Experience Evaluation Project (Repealed)
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112.86 Project Advance (Repealed)
112.87 Project Advance Experimental and Control Groups (Repealed)
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Members and Adjudicated Fathers (Repealed)
112.90 Project Advance Sanctions (Repealed)
112.91 Good Cause for Failure to Comply with Project Advance (Repealed)
112.92 Individuals Exempt From Project Advance (Repealed)
112.93 Project Advance Supportive Services (Repealed)
112.95

SUBPART F: EXCHANGE PROGRAM

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112.98 Exchange Program (Repealed)

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

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112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.102 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of
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112.108 Termination of Unearned Income
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112.125 Unearned Income In-Kind
112.126 Earnmarked Income
112.127 Lump-Sum Payments
112.128 Protected Income (Repealed)
112.130 Earned Income
112.131 Earned Income Tax Credit

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

Budgeting Earned Income
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112.133 Budgeting Earned Income of Employed Applicants
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112.135 Budgeting Earned Income For Contractual Employees
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112.140 Exempt Earned Income
112.141 Earned Income Exemption
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112.144 Income from Work-Study and Training Programs
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112.153 Deferral of Consideration of Assets
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112.155 Income Limit

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Section
112.250 Grant Levels
112.251 Payment Levels
112.252 Payment Levels in Group I Counties
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States (Repealed)

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Section
112.300 Persons Who May Be Included in the Assistance Unit
112.301 Presumptive Eligibility
112.302 Reporting Requirements for Clients with Earnings
112.303 Retrospective Budgeting
112.304 Budgeting Schedule
112.305 Strikers
112.306 Foster Care Program
112.307 Responsibility of Sponsors of Non-Citizens Entering the Country Prior
to 8/27/96
112.308 Responsibility of Sponsors of Non-Citizens Entering the Country on or

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NOTICE OF ADOPTED AMENDMENTS

After 8/27/96

112.309 Institutional Status

112.310 Child Care for Representative Payees

112.315 Young Parent Program (Renumbered)

112.320 Redetermination of Eligibility

112.330 Extension of Medical Assistance Due to Increased Income from Employment

112.331 Four Month Extension of Medical Assistance Due to Child Support Collections

112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)

112.340 New Start Payments to Individuals Released from Department of Corrections Facilities (Repealed)

SUBPART J: CHILD CARE

Section

112.350 Child Care (Repealed)

112.352 Child Care Eligibility (Repealed)

112.354 Qualified Provider (Repealed)

112.356 Notification of Available Services (Repealed)

112.358 Participant Rights and Responsibilities (Repealed)

112.362 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)

112.364 Rates of Payment for Child Care (Repealed)

112.366 Method of Providing Child Care (Repealed)

112.370 Non-JOBS Education and Training Program (Repealed)

SUBPART K: TRANSITIONAL CHILD CARE

Section

112.400 Transitional Child Care Eligibility (Repealed)

112.404 Duration of Eligibility for Transitional Child Care (Repealed)

112.406 Loss of Eligibility for Transitional Child Care (Repealed)

112.408 Qualified Child Care Providers (Repealed)

112.410 Notification of Available Services (Repealed)

112.412 Participant Rights and Responsibilities (Repealed)

112.414 Child Care Overpayments and Recoveries (Repealed)

112.416 Fees for Service for Transitional Child Care (Repealed)

112.418 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filled effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

111. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983.

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NOTICE OF ADOPTED AMENDMENTS

1983; amended (by adding Sections being codified with no substantive change) at 7 III. Reg. 5195; amended at 7 III. Reg. 11284, effective August 26, 1983; amended at 7 III. Reg. 13920, effective October 7, 1983; amended at 26 III. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 III. Reg. 16103; amended at 7 III. Reg. 17344, effective December 21, 1983; amended at 8 III. Reg. 213, effective December 27, 1983; emergency amendment at 8 III. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 III. Reg. 4176, effective March 19, 1984; amended at 8 III. Reg. 5207, effective April 9, 1984; amended at 8 III. Reg. 7226, effective May 16, 1984; amended at 8 III. Reg. 11391, effective June 27, 1984; amended at 8 III. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 III. Reg. 17894; peremptory amendment at 8 III. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 III. Reg. 19889, effective October 1, 1984; amended at 8 III. Reg. 19983, effective October 3, 1984; emergency amendment at 8 III. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 III. Reg. 21621, effective October 23, 1984; amended at 8 III. Reg. 25023, effective December 19, 1984; amended at 9 III. Reg. 282, effective January 1, 1985; amended at 9 III. Reg. 4062, effective March 15, 1985; amended at 9 III. Reg. 8153, effective May 17, 1985; emergency amendment at 9 III. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 III. Reg. 11317, effective July 5, 1985, for a maximum of 150 days; amended at 9 III. Reg. 12795, effective August 9, 1985; amended at 9 III. Reg. 13587, effective October 4, 1985; amended at 9 III. Reg. 16277, effective October 11, 1985; amended at 9 III. Reg. 17827, effective November 18, 1985; emergency amendment at 10 III. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 III. Reg. 1172, effective January 10, 1986; amended at 10 III. Reg. 3641, effective January 30, 1986; amended at 10 III. Reg. 4885, effective March 7, 1986; amended at 10 III. Reg. 8118, effective May 1, 1986; amended at 10 III. Reg. 10628, effective June 1, 1986; amended at 10 III. Reg. 11017, effective June 6, 1986; Sections 112-78, 112-86 and 112-88 recodified to 89 III. Adm. Code 160 at 10 III. Reg. 11928; emergency amendment at 10 III. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 III. Reg. 12650, effective July 14, 1986; amended at 10 III. Reg. 14681, effective August 29, 1986; amended at 10 III. Reg. 15101, effective September 3, 1986; amended at 10 III. Reg. 15621, effective September 19, 1986; amended at 10 III. Reg. 21860, effective December 12, 1986; amended at 11 III. Reg. 2280, effective January 16, 1987; amended at 11 III. Reg. 3140, effective January 30, 1987; amended at 11 III. Reg. 4682, effective March 6, 1987; amended at 11 III. Reg. 5223, effective March 11, 1987; amended at 11 III. Reg. 6228, effective March 20, 1987; amended at 11 III. Reg. 9927, effective May 15, 1987; amended at 11 III. Reg. 12003, effective November 1, 1987; emergency amendment at 11 III. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 III. Reg. 12908, effective July 30, 1987; emergency amendment at 11 III. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 III. Reg. 13625, effective August 1, 1987; amended at 11 III. Reg. 14755, effective August 26, 1987; amended at 11 III. Reg. 18679, effective November 1, 1987; emergency amendment at 11 III. Reg. 18781, effective November 1, 1987, for a

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NOTICE OF ADOPTED AMENDMENTS

maximum of 150 days; amended at 11 III. Reg. 20114, effective December 4, 1987; Sections 112-90 and 112-95 recodified to Sections 112-52 and 112-54 at 11 III. Reg. 20610; amended at 11 III. Reg. 20889, effective December 14, 1987; amended at 12 III. Reg. 844, effective January 1, 1988; emergency amendment at 12 III. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 III. Reg. 2126, effective January 12, 1988; SUPPARKS C, D and E recodified to SUPPARKS G, H and I at 12 III. Reg. 2136; amended at 12 III. Reg. 3487, effective January 22, 1988; amended at 12 III. Reg. 6159, effective March 18, 1988; amended at 12 III. Reg. 6694, effective March 22, 1988; amended at 12 III. Reg. 7336, effective May 1, 1988; amended at 12 III. Reg. 7673, effective April 20, 1988; amended at 12 III. Reg. 9032, effective May 20, 1988; amended at 12 III. Reg. 10481, effective June 13, 1988; amended at 12 III. Reg. 14172, effective August 30, 1988; amended at 12 III. Reg. 14669, effective September 16, 1988; amended at 13 III. Reg. 70, effective January 1, 1989; amended at 13 III. Reg. 6017, effective April 14, 1989; amended at 13 III. Reg. 8567, effective May 22, 1989; amended at 13 III. Reg. 16006, effective October 6, 1989; emergency amendment at 13 III. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 III. Reg. 705, effective January 1, 1990; amended at 14 III. Reg. 3170, effective February 13, 1990; amended at 14 III. Reg. 3575, effective February 23, 1990; amended at 14 III. Reg. 6306, effective April 16, 1990; amended at 14 III. Reg. 10379, effective June 20, 1990; amended at 14 III. Reg. 13652, effective August 10, 1990; amended at 14 III. Reg. 14140, effective August 17, 1990; amended at 14 III. Reg. 16937, effective September 30, 1990; emergency amendment at 15 III. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 III. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 III. Reg. 5275, effective April 1, 1991; amended at 15 III. Reg. 5684, effective April 10, 1991; amended at 15 III. Reg. 11127, effective July 19, 1991; amended at 15 III. Reg. 11447, effective July 25, 1991; amended at 15 III. Reg. 14227, effective September 30, 1991; amended at 15 III. Reg. 17308, effective November 18, 1991; amended at 16 III. Reg. 9972, effective June 15, 1992; amended at 16 III. Reg. 11550, effective July 15, 1992; emergency amendment at 16 III. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 III. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 III. Reg. 17724, effective November 9, 1992; amended at 16 III. Reg. 20147, effective December 14, 1992; amended at 17 III. Reg. 357, effective December 24, 1992; amended at 17 III. Reg. 813, effective January 15, 1993; amended at 17 III. Reg. 2253, effective February 15, 1993; amended at 17 III. Reg. 4312, effective March 25, 1993; emergency amendment at 17 III. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 III. Reg. 6792, effective April 21, 1993; amended at 17 III. Reg. 15017, effective September 3, 1993; amended at 17 III. Reg. 19156, effective October 25, 1993; emergency amendment at 17 III. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 III. Reg. 5909, effective March 31, 1994; amended at 18 III. Reg. 6994, effective April 27, 1994; amended at 18 III. Reg. 8703, effective June 1, 1994; amended at 18 III. Reg. 10774, effective June 27, 1994; amended at 18 III. Reg. 12805, effective August 5, 1994; amended at 18

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amendment at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15597, effective November 26, 1997; emergency amendment at 21 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14744, effective August 1, 1998; amended at 22 Ill. Reg. 16256, effective September 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 18082, effective October 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19840, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 598, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 942, effective January 6, 1999; emergency amendment at 23 Ill. Reg. 1133, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1682, effective January 20, 1999; emergency amendment at 23 Ill. Reg. 5881, effective May 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6958, effective MAY 30 1999.

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 112.10 Citizenship

To be eligible for assistance, an individual shall be either a U.S. citizen or a non-citizen within specific categories and subject to specific restrictions

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

as set forth below:

- a) Citizenship status -- Persons born in the U.S., or in its possessions, are U.S. citizens. Citizenship can also be acquired by naturalization through court proceedings, or by certain persons born in a foreign country of U.S. citizen parent(s).
- b) Non-citizens
 - 1) The following categories of non-citizens may receive assistance, if otherwise eligible:
 - A) A United States veteran honorably discharged and a person on active military duty, and the spouse and unmarried dependent children of such a person;
 - B) Refugees under Section 207 of the Immigration and Nationality Act (INA);
 - C) Asylees under Section 208 of the INA;
 - D) Persons for whom deportation has been withheld under Section 243(h) of the INA;
 - E) Persons granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980;
 - F) Persons lawfully admitted for permanent residence under the INA; and
 - G) Parolees, for at least one year, under Section 212(d)(5) of the INA; and
 - H) Persons who are a spouse, widow or child of a U.S. citizen or a spouse or child of a legal permanent resident (LPR) who have been battered or subjected to extreme cruelty by the U.S. citizen or LPR or a member of that relative's family who lived with them, who no longer live with the abuser or plans to live separately within one month after receipt of assistance and whose need for assistance is due, at least in part, to the abuse.
 - 2) Those persons who are in the categories set forth in (b)(1)(F) and (b)(1)(G) of this Section, who enter the United States on or after August 22, 1996, shall not be eligible for five years beginning on the date the person entered the United States.

6958

Reg.

23 Ill.

MAY 30 1999

(Source:)

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

1) Heading of the Part: Freedom of Information Procedures

2) Code Citation: 2 Ill. Adm. Code 1076

3) Section Number: Adopted Action:
 1076.10 Amendment
 1076.20 Amendment
 1076.100 Amendment
 1076.110 Amendment
 1076.200 Amendment
 1076.210 Amendment
 1076.300 Amendment
 1076.310 Amendment
 1076.400 Amendment
 1076.410 Amendment
 Appendix B Repeal

4) Statutory Authority: Implementing and authorized by the Freedom of Information Act [5 ILCS 140] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5- 15].

5) Effective Date of Amendments: May 26, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office at 1035 Outer Park Drive in Springfield and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: March 5, 1999 (23 Ill. Reg. 2737)

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version:

In Section 1076.100, by adding a new subsection (c) as follows:

"c) Requests for rules maintained by the Department in accordance with the Illinois Administrative Procedure Act [5 ILCS 100/5-15] or materials incorporated by reference in a rule [5 ILCS 100/5-75] are not considered a FOIA request and are exempt from the requirements of this Part."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

13) Will these amendments replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rules: By modifying this Part, the Department will be able to provide a more efficient program by encouraging the use of electronic formats (for example, by providing certain mailing lists by electronic copy or paper copy in lieu of pre-printed adhesive-backed address labels that had been available in the past upon request); reduce staff time in the duplication and production of records; and generate additional revenues to cover the Department's cost of providing information. This amendment will also clarify the Department's document inspection procedures, update citations to the Illinois Compiled Statutes (ILCS) and make editorial changes to conform to JCAR format.

16) Information and questions regarding these adopted amendments shall be directed to:

Rose Miller
 Freedom of Information Officer
 Department of Nuclear Safety
 1035 Outer Park Drive
 Springfield, Illinois 62704
 (217) 785-9860 (voice)
 (217) 782-6133 (TDD)

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 2: GOVERNMENT ORGANIZATION

SUBTITLE D: CODE DEPARTMENTS

CHAPTER XVI: DEPARTMENT OF NUCLEAR SAFETY

PART 1076

FREEDOM OF INFORMATION PROCEDURES

SUBPART A: INTRODUCTION

Section

1076.10

1076.20

Summary and Purpose

Definitions

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

Section

1076.300

1076.110

Person To Whom Requests Are Submitted

Form and Content of Requests

SUBPART C: PROCEDURES FOR DEPARTMENT RESPONSE

TO REQUESTS FOR PUBLIC RECORDS

Section

1076.200

1076.210

Timeline for Department Response

Types of Department Responses

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

Section

1076.310

1076.310

Appeal of a Denial

Director's Response to Appeal

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTORS

Section

1076.400

1076.410

1076.420

Inspection of Records at Department Offices

Copies of Public Records; Copy Fees

General Materials Available from the Freedom of Information Officer

Freedom of Information Request Form (Repealed)

Free Schedule for Duplication of Public Records (Repealed)

APPENDIX A

APPENDIX B

AUTHORITY: Implementing and authorized by the Freedom of Information Act [5 ILCS 140] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted at 8 Ill. Reg. 12322, effective July 2, 1984; amended at 13 Ill. Reg. 7940, effective May 16, 1989; amended at 23 Ill. Reg. 6969, effective 6969.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

effective MAY 26 1999.

SUBPART A: INTRODUCTION

Section 1076.10 Summary and Purpose

a) This Part is established to implement the provisions of the Freedom of Information Act [5 ILCS 140] ~~(supp--to--iii--Rev--Stat--1983--ch--116--par--281--et--seq--7)~~. The purpose of this Part ~~these rules~~ is to support the policy of providing public access to the public records in the possession of the Department of Nuclear Safety while, at the same time, protecting legitimate privacy interests and maintaining administrative efficiency.

b) This Part establishes a ~~these rules~~ ~~establish~~ the procedure by which the public may request and obtain public records of the Department of Nuclear Safety. This Part ~~the rules~~ also sets forth the procedures to be followed by the Department in responding to requests for information.

(Source: Amended at 23 Ill. Reg. 6969, effective MAY 26 1999.)

Section 1076.20 Definitions

a) Terms used in this Part ~~these rules~~ shall have the same meaning as in the Freedom of Information Act.

b) The following definitions are applicable for purposes of this Part ~~these rules~~:

"Department" means the Department of Nuclear Safety.

"Director" means the Director of the Department of Nuclear Safety.

"FOIA" means the Freedom of Information Act.

"Freedom of Information Officer" or "FOI Officer" means an individual responsible for receiving and responding to requests for public records.

"Requestor" means a person who submits a request for public records in accordance with this Part ~~these rules~~.

"Working days" means calendar days other than Saturdays, Sundays and legal holidays.

(Source: Amended at 23 Ill. Reg. 6969, effective MAY 26 1999.)

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SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

Section 1076.110 Person To Whom Requests Are Submitted

Requests ~~Att-~~requests for public records shall be submitted to the Department's Freedom of Information Officer either by mail (postal service or express mail) or telefax as follows ~~at the following address~~:

a) Mail at the following address:

Freedom of Information Officer
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704

ATTN: FOIA Request

b) Telefax as follows:

Freedom of Information Officer
Illinois Department of Nuclear Safety
Telefax No. (217) 524-3698

ATTN: FOIA Request

c) Requests for rules maintained by the Department in accordance with the Illinois Administrative Procedure Act [5 ILCS 100/5-15] or materials incorporated by reference in a rule [5 ILCS 100/5-75] are not considered a FOIA request and are exempt from the requirements of this Part.

(Source: Amended at 23 Ill. Reg. 69 69 \pm 2, effective MAY 26 1999)

Section 1076.110 Form and Content of Requests

a) All requests for public records submitted to the Department under the FOIA shall be in writing and signed by the requestor.

b) The requestor shall include the following information in any request for public records:

1) The requestor's full name, mailing address and telephone number, including area code, at which the requestor can be reached during normal business hours.

2) A description of the public records sought, being as specific as possible.

3) Whether the request is for inspection of public records, copies of public records, or both.

(Source: Amended at 23 Ill. Reg. 69 69 \pm 2, effective MAY 26 1999)

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SUBPART C: PROCEDURES FOR DEPARTMENT RESPONSE TO REQUESTS FOR PUBLIC RECORDS

Section 1076.200 Timeline for Department Response

a) The Department shall respond to a written request for public records within 7 seven working days after the receipt of such request by the Freedom of Information Officer.

b) In the event that the Department cannot respond to the request for public records within 7 seven working days for one of the reasons provided in Section 3(d) of the FOIA [5 ILCS 140/3(d)], the Department shall have an additional 7 seven working days in which to respond. The Department shall give the requestor notice of the extension of time to respond. Such notice of extension shall set forth the reasons why the extension is necessary.

(Source: Amended at 23 Ill. Reg. 69 69 \pm 2, effective MAY 26 1999)

Section 1076.210 Types of Department Responses

a) The Department shall respond to a request for public records in one of three ways:

- 1) Approve the request.
- 2) Approve in part and deny in part.
- 3) Deny the request.

b) When a request for public records has been approved, the Department shall ~~may~~ give notice that the requested material will be made available upon receipt of payment from the requestor for reproduction costs and postage charges, or give notice of the time and place for inspection of the requested material.

c) Requests for public records shall be denied only for the reasons stated in either Section 3(f) or Section 7 of the FOIA [5 ILCS 140/3 and 7]. A denial of a request shall be made in writing and shall provide the reasons for the denial, the names and titles of individuals responsible for the decision to deny the request, and a statement that the requestor may appeal the denial to the Department of Nuclear Safety.

d) Categorical requests creating an undue burden upon the Department shall be denied only after extending to the requestor an opportunity to narrow the request to manageable proportions in accordance with Section 3(f) of the FOIA [5 ILCS 140/3(f)].

e) Failure to respond to a written request within 7 seven working days may be considered by the requestor as a denial of the request. Such a denial may be appealed to the Director in accordance with Section 1076.230 of this Part.

(Source: Amended at 23 Ill. Reg. 69 69 \pm 2, effective MAY 26 1999)

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SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

Section 1076.300 Appeal of a Denial

- a) A requestor whose request for public records has been denied by the Freedom of Information Officer may appeal the denial to the Director of the Department. The appeal must be received by the Department either by mail (postal service or express mail) or telefax within 10 working days after the date of the denial. The notice of appeal shall be made in writing and shall be addressed to:

Director
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
ATTN: FOIA APPEAL

- b) The notice of appeal shall include a copy of the original request, a copy of the denial received by the requestor or a statement that the Department failed to respond to the requestor within 7 seven working days, and a written statement setting forth the reasons why the requestor believes the appeal should be granted.

(Source: Amended at 23 Ill. Reg. 69 69 = 1, effective MAY 26, 1999.)

Section 1076.310 Director's Response to Appeal

The Director shall respond to an appeal within 7 seven working days after receiving notice of the appeal thereof. The Director shall either affirm the denial or provide access to the requested public records. Failure of the Director to respond within 7 seven working days may be considered by the requestor an affirmation of the denial. The Director's response shall state the requestor's right to a judicial review of the decision pursuant to Section 11 of the FOIA [5 ILCS 140/11].

(Source: Amended at 23 Ill. Reg. 69 69 = 1, effective MAY 26, 1999.)

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTORS

Section 1076.400 Inspection of Records at Department Offices

- a) Generally, public records will be made available for inspection at the Department's Springfield offices between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, except on State state holidays. A

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place will be provided in which the requestor may inspect public records.

- b) Files shall be reviewed and exempt or confidential information shall be deleted by the FOI Officer before a requestor is permitted access to the records.
- c) The requestor shall arrange a time and date with the FOI Officer to review records.
- d) Documents that which the requestor wishes to have copied shall be segregated during the course of the inspection. Generally, all copying will be done by Department employees.
- e) A requestor shall not be permitted to take a brief case, folder or other similar materials or pens into the room in which the inspection will take place. A requestor will be permitted to take pencil and paper into the room while inspecting public records.
- f) An employee of the Department may be present throughout the inspection.

g) The requestor may not remove records from the Department offices, except those copies produced and paid for (if applicable per Section 1076.410 of this Part) during the requestor's inspection of the files.

(Source: Amended at 23 Ill. Reg. 69 69 = 1, effective MAY 26, 1999.)

Section 1076.410 Copies of Public Records; Copy Fees

- a) Copies of public records shall be provided to the requestor only upon payment of any charges which are due. If payment is not received within 60 days after the Department has notified the requestor of the charge, the Department shall consider the request withdrawn. The Department shall notify the requestor in writing that the request has been withdrawn.

b) Fees charges for copies of public records on letter or legal size paper shall be calculated at the rate of 35 cents per page assessed in accordance with the fee schedule for duplication of public records set forth in Appendix B of this Part. If the requestor asks that copies of the public records be sent to the requestor him, postal or express mail charges shall be assessed at the actual rate charged to the Department.

c) Fees for document reproduction requests that require creation of computer programs and computer generated records, or copying of microfilm or electronically imaged information, shall be based on actual costs incurred by the Department.

d) The Department may provide information on diskette in an electronic form such as an ASCII comma delimited file. The fee for such material will be based on the actual cost incurred by the Department.

e) Some records possessed by the Department are in book or pamphlet form. A fee may be assessed for such materials based on the actual cost incurred by the Department.

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- f) Fees for reproducing records in a form not listed in this Section (e.g., computer tapes, printouts, video tapes, maps and blueprints) will be based on the actual costs incurred by the Department.
- g) There shall be no fee charged for inspection of records or the Department's costs in searching for and reviewing records.
- h) Payment shall be remitted by check or money order, made payable to the Department of Nuclear Safety, and shall be sent to the Freedom of Information Officer.
- i) Fees for certification of records shall be \$2 per certification.
- j) Fees charges shall be waived if:
- 1) the requestor is a State agency,
 - 2) the requestor is a constitutional officer or a member of the General Assembly,
 - 3) the requestor states the specific purpose for the request and indicates that a waiver of the fee is in the public interest. Waiver of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit (Section 6(b) of the FOIA [5 ILCS 140.6(b)] as amended by P.A. 85-1357, effective January 1, 1987, or
 - 4) the total charge for copies of the public records, including any postal charges and any fees assessed in accordance with this Section the "Fee Schedule for Duplication of Public Records," set forth in Appendix-B, is less than \$10 ten dollars.

(Source: MAY 26 1999 at 23 Ill. Reg. 69 69 effective

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Section 1076.APPENDIX B Fee Schedule for Duplication of Public Records (Repealed)

Type of Duplication

Paper-copy from paper-original

Per Copy-Charge
\$---84

---(possibly-different-charges-for-different-sizes)

Computer-printout---paper---per-page

---50

Address-labels-(per-label)

\$---62

Some-records--possessed-by--the--Department--are-in-book-or-pamphlet-form--A charge may be assessed for such materials based upon the cost of such materials incurred by the Department.

The fees for reproducing records in a form not listed above--(e.g., computer tapes, video, tapes, maps, etc.) will be the actual cost of reproducing such records incurred by the Department.

(Source: Repealed at 23 Ill. Reg. 69 69 effective
MAY 26 1999)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302. Subpart F, the following water quality criteria have been derived as listed. This listing includes only the waterbodies for which water quality criteria have been used during the period February 1, 1999 through April 30, 1999.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995; 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 21 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; 22 Ill. Reg. 5131, March 13, 1998; 22 Ill. Reg. 10889, June 12, 1998; 22 Ill. Reg. 16376, September 11, 1998; 22 Ill. Reg. 22423, December 28, 1998; and 23 Ill. Reg. 3102, March 12, 1999.

Chemical: Acenaphthene CAS #83-32-9
Acute criterion: 124 ug/l
Date criteria derived: November 14, 1991
Applicable waterbodies:
Chronic criterion: 9.9 ug/l

Not used during this period.

Chemical: Acetone CAS #67-64-1
Acute criterion: 1,530 mg/l
Date criteria derived: May 25, 1993
Applicable waterbodies:
Chronic criterion: 122 mg/l

Not used during this period.

Chemical: Acetonitrile CAS #75-05-8
Acute criterion: 375 mg/l
Date criteria derived: December 7, 1993
Applicable waterbodies:
Chronic criterion: 30 mg/l

Not used during this period.

Chemical: Acrylonitrile CAS #107-13-4
Acute criterion: 910 ug/l
Human health criterion (HHC): 0.21 ug/l
Date criteria derived: November 13, 1991
Applicable waterbodies:
Chronic criterion: 73 ug/l

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LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Anthracene CAS #120-12-7
Human health criterion (HHC): 35 mg/l
Date criteria derived: August 18, 1993
Applicable waterbodies:

Not used during this period.

Chemical: Benzene CAS #71-43-2
Acute criterion: 1,300 ug/l
Human health criterion (HHC): 21 ug/l
Date criteria derived: August 15, 1990, revised January 14, 1999
Applicable waterbodies:
Chronic criterion: 110 ug/l

Not used during this period.

Chemical: Benzo(a)anthracene CAS #56-55-3
Human health criterion (HHC): 0.01 ug/l
Date criteria derived: August 10, 1993
Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)pyrene CAS #50-32-8
Human health criterion (HHC): 0.01 ug/l
Date criteria derived: August 10, 1993
Applicable waterbodies:

Not used during this period.

Chemical: Benzo(b)fluoranthene CAS # 205-99-2
Human health criterion (HHC): 0.01 ug/l
Date criteria derived: August 10, 1993
Applicable waterbodies:

Not used during this period.

Chemical: Benzo(k)fluoranthene CAS #207-08-9
Human health criterion (HHC): 0.01 ug/l
Date criteria derived: August 10, 1993
Applicable waterbodies:
Not used during this period.

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LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Carbon tetrachloride
 Acute criterion: 3,500 ug/l
 Human health criterion (HNC): 1.4 ug/l
 Date criteria derived: June 18, 1993
 Applicable waterbodies:

Not used during this period.

CAS #56-23-5
 Chronic criterion: 280 ug/l

Chemical: Chlorobenzene
 Acute criterion: 993 ug/l
 Date criteria derived: December 11, 1991
 Applicable waterbodies:

CAS #108-90-7

Chronic criterion: 79 ug/l

Not used during this period.

Chemical: Chloroform
 Acute criterion: 1,870 ug/l
 Human health criterion (HNC): 130 ug/l
 Date criteria derived: October 26, 1992
 Applicable waterbodies:

CAS #67-66-3

Chronic criterion: 150 ug/l

Not used during this period.

Chemical: Chrysene
 Human health criterion (HNC): 0.01 ug/l
 Date criteria derived: August 10, 1993
 Applicable waterbodies:

CAS #218-01-9

Not used during this period.

Chemical: 1,2-dichlorobenzene
 Acute criterion: 210 ug/l
 Date criteria derived: December 1, 1993
 Applicable waterbodies:

CAS #95-50-1

Chronic criterion: 16.8 ug/l

Not used during this period.

Chemical: 1,3-dichlorobenzene
 Acute criterion: 500 ug/l
 Date criteria derived: July 31, 1991
 Applicable waterbodies:

CAS #541-73-1

Chronic criterion: 196 ug/l

Not used during this period.

Chemical: 1,2-dichloroethane
 Acute criterion: 24,900 ug/l

CAS #107-06-2

Chronic criterion: 4,540 ug/l

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Human health criterion (HNC): 23 ug/l
 Date criteria derived: March 19, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: 1,1-dichloroethylene
 Acute criterion: 3,030 ug/l
 Human health criterion (HNC): 0.95 ug/l
 Date criteria derived: March 20, 1992
 Applicable waterbodies:

CAS #75-35-4

Chronic criterion: 242 ug/l

Not used during this period.

Chemical: 2,4-dichlorophenol
 Acute criterion: 631 ug/l
 Date criteria derived: November 14, 1991
 Applicable waterbodies:

CAS #120-83-2

Chronic criterion: 83.1 ug/l

Not used during this period.

Chemical: 1,2-dichloropropane
 Acute criterion: 4,800 ug/l
 Date criteria derived: December 7, 1993
 Applicable waterbodies:

CAS #78-87-5

Chronic criterion: 380 ug/l

Not used during this period.

Chemical: 1,3-dichloropropylene
 Acute criterion: 99 ug/l
 Date criteria derived: November 13, 1991
 Applicable waterbodies:

CAS #542-75-6

Chronic criterion: 7.9 ug/l

Not used during this period.

Chemical: 4,6-dinitro-o-cresol = 2-methyl-4,6-dinitrophenol
 CAS #534-52-1
 Chronic criterion: 2.3 ug/l

Acute criterion: 28.8 ug/l

Date criteria derived: November 14, 1991

Applicable waterbodies:

Not used during this period.

Chemical: 2,4-dinitrophenol
 Acute criterion: 85.3 ug/l
 Date criteria derived: December 1, 1993

CAS #51-28-5

Chronic criterion: 4.07 ug/l

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LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

Not used during this period.

Chemical: 2,6-dinitrotoluene

Acute criterion: 1,910 ug/l

Chronic criterion: 153 ug/l

Date criteria derived: February 14, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Diquat

Acute criterion: 1,330 ug/l

Date criteria derived: January 30, 1996

Applicable waterbodies:

Not used during this period.

Chemical: Ethylbenzene

Acute criterion: 216 ug/l

Date criteria derived: August 15, 1990, revised May 17, 1991

Applicable waterbodies:

07090005-0054/offe Kent Creek

Chemical: Fluoranthene

Human health criterion (HHC): 120 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Hexachlorobenzene

Human health criterion (HHC): 0.00025 ug/l

Date criteria derived: November 15, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Hexachlorobutadiene

Acute criterion: 34.5 ug/l

Date criteria derived: March 23, 1992

Applicable waterbodies:

Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY
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LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Hexachloroethane

Acute criterion: 381 ug/l

Human health criterion (HHC): 2.9 ug/l

Date criteria derived: November 15, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Isobutyl alcohol = 2-methyl-1-propanol

CAS #67-72-1

CAS #78-83-1

Chronic criterion: 34.8 mg/l

Acute criterion: 434 mg/l

Date criteria derived: December 1, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Methylene chloride

Acute criterion: 17,200 ug/l

Human health criterion (HHC): 340 ug/l

Date criteria derived: January 21, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Methyl ethyl ketone

Acute criterion: 322,000 ug/l

Date criteria derived: July 1, 1992

Applicable waterbodies:

Not used during this period.

Chemical: 4-methyl-2-pentanone

Acute criterion: 46 mg/l

Date criteria derived: January 13, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Naphthalene

Acute criterion: 670 ug/l

Date criteria derived: November 7, 1991

Applicable waterbodies:

Not used during this period.

Chemical: 4-nitroaniline

CAS #100-01-6

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LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 1.5 mg/l Chronic criterion: 0.12 mg/l
 Date criteria derived: May 5, 1996
 Applicable waterbodies:

Not used during this period.

Chemical: Nitrobenzene CAS #98-95-3
 Acute criterion: 15.4 mg/l Chronic criterion: 4.67 mg/l
 Human health criterion (HHC): 0.52 mg/l
 Date criteria derived: February 14, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: Pentachlorophenol
 Acute criterion: 20 ug/l Chronic criterion: 13 ug/l
 Date criteria derived: national criterion, September 1986
 Applicable waterbodies:

Not used during this period.

Chemical: Phenanthrene CAS #85-01-8
 Acute criterion: 46 ug/l Chronic criterion: 3.7 ug/l
 Date criteria derived: October 26, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: Pyrene CAS #120-00-0
 Human health criterion (HHC): 3,500 ug/l
 Date criteria derived: December 22, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: Tetrachloroethylene CAS #127-18-4
 Acute criterion: 1,220 ug/l Chronic criterion: 152 ug/l
 Date criteria derived: March 23, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: Tetrahydrofuran CAS #109-99-9
 Acute criterion: 216,000 ug/l Chronic criterion: 17,300 ug/l
 Date criteria derived: March 16, 1992
 Applicable waterbodies:

ENVIRONMENTAL PROTECTION AGENCY

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LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Toluene CAS #108-88-3
 Acute criterion: 1,300 ug/l Chronic criterion: 110 ug/l
 Date criteria derived: August 16, 1990, revised May 17, 1991,
 January 26, 1993 and January 14, 1999
 Applicable waterbodies:

07090005-0054/off Kent Creek

Chemical: 1,2,4-trichlorobenzene CAS #120-82-1
 Acute criterion: 353 ug/l Chronic criterion: 69.2 ug/l
 Date criteria derived: December 14, 1993
 Applicable waterbodies:

Not used during this period.

Chemical: 1,1,1-trichloroethane CAS #71-55-6
 Acute criterion: 4,910 ug/l Chronic criterion: 393 ug/l
 Date criteria derived: October 26, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: 1,1,2-trichloroethane CAS #79-00-5
 Acute criterion: 19,000 ug/l Chronic criterion: 3,540 ug/l
 Human health criterion (HHC): 12 ug/l
 Date criteria derived: December 13, 1993
 Applicable waterbodies:

Not used during this period.

Chemical: Trichloroethylene CAS #79-01-6
 Acute criterion: 11,700 ug/l Chronic criterion: 940 ug/l
 Date criteria derived: October 23, 1992
 Applicable waterbodies:

Not used during this period.

Chemical: Xylenes CAS # 1330-20-7
 Acute criterion: 1,500 ug/l Chronic criterion: 120 ug/l
 Date criteria derived: August 23, 1990, revised January 14, 1999
 Applicable waterbodies:
 07090005-0054/off Kent Creek

ENVIRONMENTAL PROTECTION AGENCY
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LISTING OF DERIVED WATER QUALITY CRITERIA

For additional information concerning these criteria or the derivation process use contact:

Bob Mosher
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 25, 1999 through May 31, 1999 and have been scheduled for review by the Committee at its June 22, 1999 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
7/8/99	State Board of Education, School Technology Program (23 Ill Adm Code 575)	3/12/99 23 Ill Reg 2837	6/22/99
7/8/99	Department of Natural Resources, Camping on Department of Natural Resources Properties (17 Ill Adm Code 130)	4/9/99 23 Ill Reg 4166	6/22/99
7/10/99	Department of Agriculture, Definitions (8 Ill Adm Code 20)	3/19/99 23 Ill Reg 3198	6/22/99
7/10/99	Department of Agriculture, Animal Welfare Act (8 Ill Adm Code 25)	3/19/99 23 Ill Reg 3185	6/22/99
7/10/99	Department of Agriculture, Livestock Auction Markets (8 Ill Adm Code 40)	3/19/99 23 Ill Reg 3229	6/22/99
7/10/99	Department of Agriculture, Repeal of Marketing Center (Livestock) (8 Ill Adm Code 45)	3/19/99 23 Ill Reg 3238	6/22/99
7/10/99	Department of Agriculture, Horsemeat (8 Ill Adm Code 70)	3/19/99 23 Ill Reg 3220	6/22/99
7/10/99	Department of Agriculture, Bovine Brucellosis (8 Ill Adm Code 75)	3/19/99 23 Ill Reg 3191	6/22/99

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

7/10/99	Department of Agriculture, Illinois Bovidae and Cervidae Tuberculosis Eradication Act (8 Ill. Adm. Code 80)	3/19/99 23 Ill. Reg 3224	6/22/99
7/10/99	Department of Agriculture, Diseased Animals (8 Ill. Adm. Code 85)	3/19/99 23 Ill. Reg 3205	6/22/99
7/10/99	Department of Agriculture, Animal Diagnostic Laboratory Act (8 Ill. Adm. Code 110)	3/19/99 23 Ill. Reg 3181	6/22/99
7/10/99	Department of Agriculture, Weights and Measures Act (8 Ill. Adm. Code 600)	1/8/99 23 Ill. Reg 372	6/22/99
7/10/99	Department of Agriculture, Livestock Dealer Licensing (68 Ill. Adm. Code 610)	3/19/99 23 Ill. Reg 3234	6/22/99
7/10/99	Illinois Gaming Board, Riverboat Gambling (86 Ill. Adm. Code 3000)	3/26/99 23 Ill. Reg 3538	6/22/99
7/10/99	Department of Public Health, Nursing Education Scholarships (77 Ill. Adm. Code 597)	11/30/98 22 Ill. Reg 20537	6/22/99
7/10/99	Department of Public Health, Hospital Licensing Requirements (77 Ill. Adm. Code 250)	3/19/99 23 Ill. Reg 3306	6/22/99
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Rules acted upon during the calendar quarter from Issue 17 through Issue 29 are listed in the Issues Index by Title number, Part number and Issue number. For example, 30 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jntate@ccgate.sos.state.il.us (Internet address).

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